

have taken from the Speaker's table the bill S. 562, together with the Senate amendment to the House amendment to the text of the bill, and to have concurred in the Senate amendment with an amendment as follows:

In the matter proposed to be inserted by the Senate amendment, at the end of section 304 add the following new subsection:

(c) **APPLICABILITY.**—This section shall apply only during the period beginning on October 1, 1997, and ending at the end of March 31, 1998.

The SPEAKER pro tempore, Mr. SNOWBARGER, recognized Mr. LAZIO and Mr. KENNEDY of Massachusetts, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. SNOWBARGER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

#### ¶132.32 ENROLLMENT CORRECTION

Mr. BURR moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 196):

*Resolved by the House of Representatives (the Senate concurring),* That, in the enrollment of the bill (S. 830) to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 119(b) of the bill:

(A) Strike paragraph (2) (relating to conforming amendments).

(B) Strike "(b) SECTION 505(j).—" and all that follows through "(3)(A) The Secretary shall" and insert the following:

"(b) SECTION 505(j).—Section 505(j) (21 U.S.C. 355(j)) is amended by adding at the end the following paragraph:

"(9)(A) The Secretary shall".

(2) In section 123 of the bill, strike subsection (g) and insert the following:

"(g) APPLICATION OF FEDERAL FOOD, DRUG, AND COSMETIC ACT.—

"(1) IN GENERAL.—Section 351 of the Public Health Service Act (42 U.S.C. 262), as amended by subsection (d), is further amended by adding at the end the following:

"(j) The Federal Food, Drug, and Cosmetic Act applies to a biological product subject to regulation under this section, except that—

"(1) a product for which a license has been approved under subsection (a) shall not be required to have an approved application under section 505 of such Act; and

"(2) the amendments made to section 505 of such Act by title I of Public Law 98-417 shall not apply to a biological product for which a license has been approved under subsection (a)."

"(2) **RULE OF CONSTRUCTION.**—Nothing in this Act or the amendments made by this Act shall affect the question of the applicability of any provision of section 505 of the Federal Food, Drug, and Cosmetic Act to a biological product for which an application has been approved under section 505 of such Act."

(3) In section 125(d)(2) of the bill, in the matter preceding subparagraph (A), insert

after "antibiotic drug" the second place such term appears the following: "(including any salt or ester of the antibiotic drug)".

(4) In section 127(a) of the bill: In section 503A of the Federal Food, Drug, and Cosmetic Act (as proposed to be inserted by such section 127(a)), in the second sentence of subsection (d)(2), strike "or other criteria" and insert "and other criteria".

(5) In section 412(c) of the bill:

(A) In subparagraph (1) of section 502(e) of the Federal Food, Drug, and Cosmetic Act (as proposed to be amended by such section 412(c)), in subclause (iii) of clause (A), insert before the period the following: "or to prescription drugs".

(B) Strike "(c) MISBRANDING.—Subparagraph (1) of section 502(e)" and insert the following:

"(c) MISBRANDING.—

"(1) IN GENERAL.—Subparagraph (1) of section 502(e)".

(C) Add at the end the following:

"(2) **RULE OF CONSTRUCTION.**—Nothing in this Act or the amendments made by this Act shall affect the question of the authority of the Secretary of Health and Human Services regarding inactive ingredient labeling for prescription drugs under sections of the Federal Food, Drug, and Cosmetic Act other than section 502(e)(1)(A)(iii)."

(6) Strike section 501 of the bill and insert the following:

#### "SEC. 501. EFFECTIVE DATE.

"(a) IN GENERAL.—Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

"(b) IMMEDIATE EFFECT.—Notwithstanding subsection (a), the provisions of and the amendments made by sections 111, 121, 125, and 307 of this Act, and the provisions of section 510(m) of the Federal Food, Drug, and Cosmetic Act (as added by section 206(a)(2)), shall take effect on the date of enactment of this Act."

The SPEAKER pro tempore, Mr. SNOWBARGER, recognized Mr. BURR and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SNOWBARGER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said concurrent resolution.

#### ¶132.33 CUSTOMS USER FEES

Mr. SHAW moved to suspend the rules and pass the bill (H.R. 3034) to amend section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985, relating to customs users fees, to allow the use of such fees to provide for customs inspectional personnel in connections with the arrival of passengers in Florida, and for other purposes.

The SPEAKER pro tempore, Mr. SNOWBARGER, recognized Mr. SHAW

and Mrs. THURMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SNOWBARGER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

#### ¶132.34 SUBMISSION OF CONFERENCE

REPORT—H.R. 2267

Mr. ROGERS submitted a conference report (Rept. No. 105-405) on the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

#### ¶132.35 JUSTICE FOR VICTIMS OF

COMMUNISM

Mr. CANADY moved to suspend the rules and pass the bill (H.R. 3037) to clarify that unmarried children of Vietnamese reeducation camp internees are eligible for refugee status under the Orderly Departure Program.

The SPEAKER pro tempore, Mr. SNOWBARGER, recognized Mr. CANADY and Mr. WATT of North Carolina, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SNOWBARGER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered,* That the Clerk request the concurrence of the Senate in said bill.

#### ¶132.36 REIMBURSEMENT TO TROOPS IN

BOSNIA

Mr. BATEMAN moved to suspend the rules and pass the bill (H.R. 2796) to authorize the reimbursement of members of the Army deployed to Europe in support of operations in Bosnia for certain out-of-pocket expenses incurred by the members during the period beginning on October 1, 1996, and ending on May 31, 1997; as amended.

The SPEAKER pro tempore, Mr. SNOWBARGER, recognized Mr. BATEMAN and Mr. DELLUMS, each for 20 minutes.